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ORIGINAL

**BEFORE THE ARIZONA POWER PLANT AND TRANSMISSION LINE SITING
COMMITTEE**

IN THE MATTER OF THE APPLICATION OF
SALT RIVER PROJECT AGRICULTURAL
IMPROVEMENT AND POWER DISTRICT, IN
CONFORMANCE WITH THE REQUIREMENTS
OF ARIZONA REVISED STATUTES, SECTIONS
40-360, et seq., FOR A CERTIFICATE OF
ENVIRONMENTAL COMPATIBILITY
AUTHORIZING CONSTRUCTION OF A 230 kV
DOUBLE-CIRCUIT TRANSMISSION LINE
ORIGINATING AT THE PLANNED AND
PERMITTED ABEL SUBSTATION, NEAR JUDD
AND ATTAWAY ROADS IN PINAL COUNTY,
TO THE PLANNED AND PERMITTED RS-17
SUBSTATION, ADJACENT TO THE EXISTING
MOODY SUBSTATION, LOCATED NEAR
PECOS AND RECKER ROADS, IN THE TOWN
OF GILBERT, MARICOPA COUNTY,
ARIZONA, AND INCLUDING A NEW 230/69 kV
SUBSTATION NEAR THE INTERSECTION OF
COMBS AND MERIDIAN ROADS, IN OR
ADJACENT TO THE TOWN OF QUEEN
CREEK, ARIZONA.

Docket No. L-00000B-09-0311-00148

Case No. 148

**NOTICE OF FILING E-MAIL
COMMUNICATION**

RECEIVED

2009 JUN 25 P 2:31

AZ CORP COMMISSION
DOCKET CONTROL

The Chairman of the Arizona Power Plant and Transmission Line Siting Committee is providing notice of filing the attached e-mail communications that have occurred between the Parties to this case and the Chairman, up to this date, since the last filing on June 17, 2009.

DATED: June 25, 2009

Arizona Corporation Commission
DOCKETED

JUN 25 2009

DOCKETED BY

John Foreman, Chairman
Arizona Power Plant and Transmission
Line Siting Committee
Assistant Attorney General

1 Pursuant to A.A.C. R14-3-204,
2 The Original and 25 copies were
3 filed June 25, 2009 with:

4 Docket Control
5 Arizona Corporation Commission
6 1200 W. Washington St.
7 Phoenix, AZ 85007

8 Copy of the above was mailed
9 this 25th day of June, 2009 to:

10 Janice Alward, Chief Counsel
11 Arizona Corporation Commission
12 1200 West Washington Street
13 Phoenix, AZ 85007
14 Counsel for Legal Division Staff

15 Kenneth C. Sundlof, Jr.
16 Jennings, Strouss & Salmon, PLC
17 The Collier Center, 11th Floor
18 201 East Washington Street
19 Phoenix, AZ 85004-2385
20 Counsel for Applicant, SRP

21 Gary Birnbaum
22 Jim Braselton
23 Mariscal, Weeks, McIntyre & Friedlander, PA
24 2901 North Central Avenue, Suite 200
25 Phoenix, AZ 85012
26 Counsel for the Town of Queen Creek

27 Craig Marks
28 Craig A. Marks, PLC
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30 Phoenix, AZ 85028
31 Counsel for the City of Mesa

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14 Counsel for Pinal County

15 Christopher Schmaltz
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19 Counsel for Phoenix-Mesa Gateway Airport

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2 Arizona Reporting Service, Inc.
3 2200 North Central Avenue
4 Phoenix, Arizona 85004-1481
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7 Sara Williams
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From: "AZRS" <azrs@az-reporting.com>
To: "Tara Williams" <Tara.Williams@azag.gov>
Date: 6/22/2009 1:02 PM
Subject: RE: #148 Procedural Order

Hello, Tara
Thanks.
We have added to our calendar.

Marta Hetzer @ AZRS
60-274-9944

-----Original Message-----

From: Tara Williams [mailto:Tara.Williams@azag.gov]
Sent: Monday, June 22, 2009 11:05 AM
To: Lawrence Robertson; Craig Marks; Janice Alward; Kyle Mieras; Gregory Miles; Rebecca Porter; Francis Slavin; Christopher Schmaltz; Kenneth Sundlof; Gary Birnbaum; Jim Braselton; Scott Wakefield, Esq.
Cc: AZRS; Michele Maser; Jana Brandt; Kelly Barr
Subject: #148 Procedural Order

All,

I have been informed by Ms. DeWitt at ACC Docket Control that you will not receive our filings from them via mail, regardless of whether or not you are on our service list, until you have filed a Motion or Request to Intervene.

Since most of you have not filed a Motion yet, I have attached the Procedural Order for this case, the Notice of Hearing and a Procedural Order concerning the matters discussed above. All of these documents have been filed with Docket Control.

Please let me know if you have any questions.

Thank you,
Tara Williams
Assistant
Consumer Protection & Advocacy Section
Office of the Attorney General
Tel: (602) 542-7759
Fax: (602) 542-4377
tara.williams@azag.gov

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BEFORE THE ARIZONA POWER PLANT AND
TRANSMISSION LINE SITING COMMITTEE

RECEIVED

2009 JUN 17 P 12:37

Docket No. L-00000B-09-0311-00148

Case No. 148

ARIZONA CORPORATION COMMISSION
DOCKET CONTROL

IN THE MATTER OF THE APPLICATION OF
SALT RIVER PROJECT AGRICULTURAL
IMPROVEMENT AND POWER DISTRICT, IN
CONFORMANCE WITH THE
REQUIREMENTS OF ARIZONA REVISED
STATUTES, SECTIONS 40-360, et seq., FOR
A CERTIFICATE OF ENVIRONMENTAL
COMPATIBILITY AUTHORIZING
CONSTRUCTION OF A 230 kV DOUBLE-
CIRCUIT TRANSMISSION LINE
ORIGINATING AT THE PLANNED AND
PERMITTED ABEL SUBSTATION, NEAR
JUDD AND ATTAWAY ROADS IN PINAL
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RECKER ROADS, IN THE TOWN OF
GILBERT, MARICOPA COUNTY, ARIZONA,
AND INCLUDING A NEW 230/69 kV
SUBSTATION NEAR THE INTERSECTION OF
COMBS AND MERIDIAN ROADS, IN OR
ADJACENT TO THE TOWN OF QUEEN
CREEK, ARIZONA.

PROCEDURAL ORDER

An application for a Certificate of Environmental Compatibility was filed in the above captioned matter with docket control of the Arizona Corporation Commission ("Commission") on June 12, 2009. A copy of the application was transmitted to John Foreman, designee of the Attorney General of Arizona, Terry Goddard, as Chairman ("Chairman") and Presiding Officer of the Arizona Power Plant and Transmission Line Siting Committee ("Line Siting Committee"). A.R.S. §§ 40-360.01(B)(1) and 40-360.03. As authorized by A.R.S. §§ 40-360.01(C) and (D), 40-360.04 and A.A.C. R14-3-201(E), the Chairman issues the following procedural order,

IT IS ORDERED:

1. The Applicant and all other potential parties ("persons" within the meaning of A.R.S. § 40-360(8) who intend to intervene or request to intervene pursuant to A.R.S. § 40-360.05(A)) shall advise the Chairman in writing on or before the time of the pre-hearing conference scheduled below if they disagree that the time limit for decision on the application by the Line Siting Committee set by A.R.S. § 40.360.04(D) is December 9, 2009.

2. The Applicant shall arrange for the publication and posting of notice of the evidentiary hearing, as agreed to at the pre-application hearing involving the Applicant and all known potential intervenors, in a form approved by the Chairman and circulated for approval as to form to all known potential interested parties. In addition, the Applicant shall submit a copy of the notice and present testimony describing the publication and posting of the notice at the evidentiary hearing.
3. The Applicant shall make arrangements for the evidentiary hearing to be held at the ASU Polytechnic Campus, Cooley Ballroom in the Student Union Building, 7001 East Williams Field Road, Mesa, Arizona, 85212, (480) 727-1098, beginning on August 5, 2009, at 9:30 a.m. and continuing, if necessary, on August 6, 2009, and August 7, 2009, at 9:30 a.m. The Applicant shall make arrangements for further regular sessions, if needed, and additional public comment sessions, if needed, on dates and at times to be determined later.
4. The Applicant shall contact Michael Kearns, Chief Finance Officer of the Commission (602-542-3931), and advise him of the Applicant's position concerning reimbursement of the Line Siting Fund should the expenses of the hearings exceed the application fee, and to discuss financial arrangements regarding hotel reservations and other expenses of the Line Siting Committee Members. A.R.S. § 40-360.10. The Applicant shall advise the Chairman of the results of these discussions so the necessary information may be communicated to the Line Siting Committee Members.
5. The Applicant and all other potential parties ("persons" within the meaning of A.R.S. § 40-360(8) who intend to intervene or request to intervene pursuant to A.R.S. § 40-360.05(A)) shall meet and confer, on or before the beginning of the evidentiary hearing to determine whether any of the intervening parties have similar interests in the application process that will allow them jointly to present testimony on direct or cross-examination of witnesses or jointly to offer exhibits into evidence. The Applicant shall, and any other potential party may, report to the Chairman the results of the attempts of the parties to resolve the issues and to determine if common interests exist that will allow parties to jointly present evidence and argument or to avoid repetition of testimony and argument at the hearing.
6. The parties and any other potential parties ("persons" within the meaning of A.R.S. § 40-360(8) who intend to intervene or request to intervene pursuant to A.R.S. § 40-360.05(A)) shall not communicate with any member of the Line Siting Committee about any procedural matters or any factual issues or legal issues relating to the Application while the Application is pending before the Line Siting Committee. The only exception is the parties may communicate with the Chairman, during the time the Application is pending, about procedural matters

1 relating to the preparation of the Application for hearing, the hearing on the
2 Application and the decision on the Application by the Line Siting Committee.
3 Communication of the parties with the Chairman about any procedural matters,
4 during the time an Application is pending, shall be in writing with a copy of the
5 writing to all parties or known potential parties ("persons" within the meaning of
6 A.R.S. § 40-360(8) who have expressed an intention to intervene or request to
7 intervene pursuant to A.R.S. § 40-360.05(A)), or shall be on the record at a pre-
8 application hearing, at a procedural hearing or at the hearing on the application.
9 Any party who initiates any written communication sent to the Chairman shall
10 file, with docket control of the Commission, a copy of the communication,
11 including its distribution list, within 10 days of sending the communication.

- 12 7. Whenever an agenda is filed pursuant to A.R.S. § 38-431.02, all parties shall
13 submit, at least *forty-eight hours before the hearing or meeting* described in the
14 agenda, any objections, additions or corrections to the agenda, in order to bring
15 the agenda into compliance with A.R.S. § 38-431.02, in writing to the Chairman,
16 serve a copy upon all other parties and file a copy with docket control of the
17 Commission.
- 18 8. In addition, all parties shall meet and confer as needed before, during and after
19 the hearing to attempt to resolve any disputes amongst the parties. The parties
20 also shall keep all other parties advised of their positions and intentions with
21 regard to the presentation of evidence, witnesses and the application process in
22 general to avoid delay, the presentation of repetitive evidence and any unfair
23 advantage from surprise.
- 24 9. All parties shall prepare brief summaries of the expected direct testimony of each
25 witness they will call. In lieu of a testimonial summary, a party may pre-file and
26 exchange all or substantially all of the direct testimony of any witness.
27 Testimonial summaries and pre-filed testimony should be filed no later than the
28 last pre-hearing conference or three business days before the witness is to
29 testify, whichever is later. Except for good cause, no witness will be allowed to
30 testify on direct examination concerning issues not reasonably identified in the
31 pre-filed testimony or testimonial summary.
- 32 10. All parties shall meet, confer and exchange all exhibits the party plans to offer in
33 evidence before the hearing or before they are referred to in testimony or offered
34 in evidence. The Applicant shall, and other parties may, provide one or more
35 three ring binders for the Chairman and each member of the Line Siting
36 Committee to hold exhibits at the beginning of the hearing and as needed during
37 the hearing. Each party shall prepare a numbered list of the exhibits and a copy
38 of all exhibits suitable for placement in the binders that have been exchanged
39 with the other parties that each party expects to offer in evidence at the hearing

1 for the Chairman and each Line Siting Committee member. The exhibits shall
2 be provided at the beginning of the hearing and during the hearing before
3 reference to the exhibit is made in the hearing. Except for good cause, no exhibit
4 that was not exchanged with the other parties shall be considered at the hearing.
5 Any exhibit to which reference is made during any hearing that is not offered or
admitted into evidence shall be provided to the court reporter at the evidentiary
hearing for inclusion in the record unless it is withdrawn, and the Chairman
determines its filing is not necessary to an understanding of the actions of the
Committee.

6 11. All exhibits shall be consecutively numbered with the Applicant's exhibits
7 denominated: SRP-1, SRP-2, etc. Each intervening party will be assigned by the
8 Chairman a letter or letters of the alphabet as a preface with which to
9 consecutively number its exhibits. For example, the Commission Staff will
number its exhibits: CC-1, CC-2, etc.

10 12. The Applicant may make an opening statement at the beginning of the hearing of
11 no more than thirty minutes. Each other party may make an opening statement
of no more than five minutes.

12 13. Public comment will be heard after the opening statements and at other times set
13 by the Chairman during the hearing. See ¶ 3, above.

14 14. In the event the Chairman determines that a tour is appropriate, the Applicant
15 shall arrange for transportation of any Committee Members who wish to attend a
16 tour of the locations where facilities proposed in the application or similar facilities
17 are located. If a tour is held, the Applicant shall submit to the Chairman, for
18 approval in advance of the hearing, a schedule and protocol agreed to by all
19 parties for the tour. If all parties do not agree upon the schedule and protocol for
20 the tour, the disagreements shall be submitted to the Chairman for resolution.
21 The protocol shall identify the tour route, identify the location of any stops, and
22 identify any witnesses who will accompany the tour. Counsel may ask brief
23 explanatory questions of the identified witness or witnesses during the stops
24 about the location, what can be seen from the location of the stop and the
25 relevance of the location or view to the Application in the discretion of the
26 Chairman. All witnesses who testify on the tour shall be sworn before their
testimony. All questions and answers shall be before a court reporter. No
testimony or discussion with or between Committee Members about the
Application or matters relating to the Application will take place, except on the
record before a court reporter at the designated stops. The protocol shall provide
for access to any testimony presented at stops on a tour to members of the
public. Members of the public who wish to attend the tour shall be encouraged to
notify the parties or the appropriate staff of Arizona Corporation Commission in
advance of their intention to attend.

- 1 15. Parties may present their witnesses in panels where appropriate. A party that
2 intends to present witnesses in panels shall identify the members of any panel at
3 the time it files its witness summaries.
- 4 16. The Applicant shall make arrangements for the preparation of expedited court
5 reporter transcripts of all pre-application hearings, pre-hearing procedural
6 hearings and the evidentiary hearing, so that the transcripts are available for
7 public inspection within three working days after each hearing date, as required
8 by A.R.S. § 38-431.01D and § 40-360.04C. In addition, the Applicant shall file a
9 certification with Commission docket control that it has provided a copy of the
10 transcripts to at least two public libraries identified in the certification that are in
11 the vicinity of the application.
- 12 17. On or before the final pre-hearing procedural hearing set below, the Applicant
13 shall, and the other parties may, file proposed findings of fact, proposed
14 conclusions of law, the wording of any proposed Certificate of Environmental
15 Compatibility and the wording of any proposed conditions to the Certificate.
- 16 18. If the beginning of closing arguments and the Line Siting Committee's
17 deliberations are more than one week after the beginning of the hearing, the
18 parties shall meet and confer after the hearing begins and before closing
19 arguments concerning proposed findings of fact, proposed conclusions of law, a
20 proposed Certificate of Environmental Compatibility and the wording of any
21 proposed conditions to the Certificate. If the parties are able to agree upon part
22 or all of the proposed findings of fact, proposed conclusions of law, proposed
23 forms of a Certificate of Environmental Compatibility and proposed wording of
24 conditions to the Certificate, all that is agreed upon should be reduced to writing
25 and filed with Commission docket control. If the parties are not able to agree
26 completely, the Applicant shall, and all other parties may, file proposed findings
of fact, proposed conclusions of law, proposed wording of a Certificate of
Environmental Compatibility and proposed wording of conditions to the
Certificate on the day before the beginning of closing arguments and the Line
Siting Committee's deliberations.
19. If the Applicant or any other party proposes conditions based upon conditions
used in prior cases, each proposed condition from a prior case shall contain the
case number of the most recent prior Certificate of Environmental Compatibility
using the language approved by the Commission.
20. All witness summaries, proposed findings of fact, proposed conclusions of law,
proposed Certificates of Environmental Compatibility and proposed conditions of
Certificates, shall be filed with Commission docket control pursuant to A.A.C.
R14-3-204 and -205. If any documents that are filed are hand delivered during

1 the hearing, eleven copies shall be submitted to the Chairman for distribution to
2 the other Committee Members.

3 21. Within five business days after the hearing concludes and the Committee renders
4 its decision, the parties shall meet and confer in person or electronically to
5 determine if they can agree upon the final wording of a proposed Certificate of
6 Environmental Compatibility. If the parties can agree upon the final wording of a
7 proposed Certificate of Environmental Compatibility, Applicant shall file forthwith
8 the agreed upon proposed Certificate of Environmental Compatibility to the
9 Chairman for signature. If the parties are not able to agree upon a proposed
10 form of Certificate of Environmental Compatibility, the Applicant shall file, and
11 the other parties may file, within ten days after the date of the decision of the
12 Committee, those portions of the proposed Certificate of Environmental
13 Compatibility upon which the parties agree. The Applicant also shall file, and any
14 other party also may file, its understanding of any disputed portions of the
15 proposed Certificate of Environmental Compatibility. All proposed forms of the
16 Certificate of Environmental Compatibility and any objections or proposed
17 revisions shall be filed with docket control of the Commission, and a copy shall
18 be hand delivered to the office of the Chairman at 1275 W. Washington,
19 Phoenix, Arizona. Objections or suggestions that are not timely filed shall be
20 considered waived. The copy of the proposed Certificate of Environmental
21 Compatibility filed by the Applicant and any proposed revisions filed by the
22 parties that are served upon the Chairman shall include an electronic file
23 containing the wording of the proposed language in a format compatible with
24 Microsoft® Word word processing program.

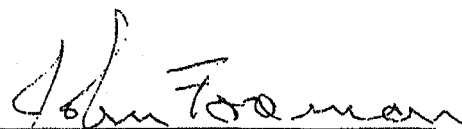
25 22. The Applicant and all other potential parties ("persons" within the meaning of
26 A.R.S. § 40-360(8) who intend to intervene or request to intervene pursuant to
A.R.S. § 40-360.05(A)) shall meet with the Chairman for a final pre-hearing
conference on July 24, 2009 beginning at 2:00 pm at the offices of the Attorney
General of Arizona at 1275 W. Washington, Phoenix, Arizona. Parties other than
the Applicant may appear by telephone with the prior permission of the
Chairman. At the final pre-hearing conference, the Chairman will review with the
parties:

- a. The publication and posting of notices of the hearing;
- b. The proposed agenda for the evidentiary hearing;
- c. Any notices to intervene, applications to intervene, and applications to
make a limited appearance;
- d. The status of attempts to narrow the issues at the evidentiary hearing or to
agree to language in the proposed findings of fact, proposed conclusions
of law, proposed Certificates of Environmental Compatibility and proposed
conditions to the Certificate;

- 1 e. The status of the filing and exchange of witness summaries or written
2 testimony, proposed findings of fact, proposed conclusions of law,
3 proposed Certificates of Environmental Compatibility and proposed
4 conditions to the Certificate;
5 f. The status of the exchange of exhibits amongst the parties;
6 g. Any objections, motions, responses and legal memoranda that have been
7 filed;
8 h. Plans and preparations for the hearing, public comment session, and tour
9 of the proposed site.

10
11 IT IS FURTHER ORDERED, the Chairman may amend or waive any portion of
12 this Procedural Order by subsequent Procedural Order, by ruling at a pre-hearing
13 conference or at a hearing.

14 DATED this 17th day of June, 2009

15 
16 John Foreman
17 Assistant Attorney General
18 Chairman
19 Arizona Power Plant and Transmission
20 Line Siting Committee
21 john.foreman@azag.gov

22 Pursuant to A.A.C. R14-3-204,
23 The Original and 25 copies were
24 filed this 17th day of June, 2009 with:

25 Docket Control
26 Arizona Corporation Commission
1200 W. Washington St.
Phoenix, AZ 85007

Copy of the above mailed
this 17th day of June, 2009 to:

Janice Alward, Chief Counsel
Arizona Corporation Commission
1200 West Washington Street
Phoenix, AZ 85007
Counsel for Legal Division Staff

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Counsel for the Town of Gilbert

Lawrence V. Robertson, Jr.
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Counsel for Pinal County

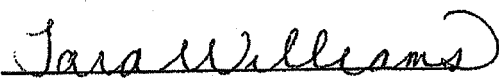
1 Christopher Schmaltz
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8 2198 East Camelback Road, Suite 285
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10 Counsel for Jason Barney

11 Scott Wakefield
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13 201 North Central Avenue, Suite 3300
14 Phoenix, AZ 85004-1052
15 Counsel for Sandy Beeler

16 Rebecca Porter
17 Gregory Miles
18 Davis Miles, PLLC
19 P.O. Box 15070
20 Mesa, AZ 85211-3070
21 Counsel for V & P Nurseries

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**BEFORE THE ARIZONA POWER PLANT AND
TRANSMISSION LINE SITING COMMITTEE**

IN THE MATTER OF THE APPLICATION OF
SALT RIVER PROJECT AGRICULTURAL
IMPROVEMENT AND POWER DISTRICT, IN
CONFORMANCE WITH THE
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ORIGINATING AT THE PLANNED AND
PERMITTED ABEL SUBSTATION, NEAR
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PERMITTED RS-17 SUBSTATION,
ADJACENT TO THE EXISTING MOODY
SUBSTATION, LOCATED NEAR PECOS AND
RECKER ROADS, IN THE TOWN OF
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SUBSTATION NEAR THE INTERSECTION
OF COMBS AND MERIDIAN ROADS, IN OR
ADJACENT TO THE TOWN OF QUEEN
CREEK, ARIZONA.

Docket No. L-00000B-09-0311-00148

Case No. 148

PROCEDURAL ORDER

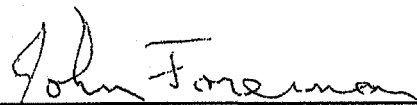
John Foreman, designee of the Attorney General of Arizona, Terry Goddard, as
Chairman ("Chairman") and Presiding Officer of the Arizona Power Plant and
Transmission Line Siting Committee ("Line Siting Committee") has been advised that
Docket Control of the Arizona Corporation Commission is not sending copies of relevant
filings to all "persons" within the meaning of A.R.S. § 40-360(8) who intend to intervene
or request to intervene pursuant to A.R.S. § 40-360.05(A) that are listed as parties or
potential parties on pleadings or procedural orders filed by the Applicant or the
Chairman. Neither the Line Siting Committee nor its Chairman has the power to direct
Docket Control to mail one of the 25 copies of pleadings filed with Docket Control to
parties or potential parties. As authorized by A.R.S. §§ 40-360.01(C) and (D), 40-
360.04 and A.A.C. R14-3-201(E), the Chairman issues the following procedural order,

IT IS ORDERED the Applicant and all "persons" within the meaning of A.R.S. §
40-360(8) who intend to intervene or request to intervene pursuant to A.R.S. § 40-
360.05(A) shall notify Docket Control of their desire to receive pleadings and orders in

1 this matter and shall regularly review the Docket Control file, or visit e-Docket online, to
2 make sure they have received all pleadings and procedural orders relating to this case.

3 IT IS FURTHER ORDERED, the Chairman may amend or waive any portion of
4 this Procedural Order by subsequent Procedural Order, by ruling at a pre-hearing
5 conference or at a hearing.

6
7
8 DATED this 22nd day of June, 2009

9
10 
11 John Foreman
12 Assistant Attorney General
13 Chairman
14 Arizona Power Plant and Transmission
15 Line Siting Committee
16 john.foreman@azag.gov

17 Pursuant to A.A.C. R14-3-204,
18 The Original and 25 copies were
19 filed this 22nd day of June, 2009 with:

20 Docket Control
21 Arizona Corporation Commission
22 1200 W. Washington St.
23 Phoenix, AZ 85007

24 Copy of the above mailed
25 this 22nd day of June, 2009 to:
26

1 Janice Alward, Chief Counsel
Arizona Corporation Commission
2 1200 West Washington Street
Phoenix, AZ 85007
3 Counsel for Legal Division Staff
4
Kenneth C. Sundlof, Jr.
5 Jennings, Strouss & Salmon, PLC
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7 Counsel for Applicant, SRP
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Counsel for the Town of Gilbert
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23 Gust Rosenfeld, PLC
201 East Washington Street, Suite 800
24 Phoenix, AZ 85004
Counsel for Phoenix-Mesa Gateway Airport
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26

1 Francis Slavin
Francis J. Slavin, PC
2 2198 East Camelback Road, Suite 285
Phoenix, AZ 85016
3 Counsel for Jason Barney
4
5 Scott Wakefield
Ridenour, Hienton, Kelfhoffer & Lewis, PLLC
201 North Central Avenue, Suite 3300
6 Phoenix, AZ 85004-1052
Counsel for Sandy Beeler
7
8 Rebecca Porter
Gregory Miles
9 Davis Miles, PLLC
P.O. Box 15070
10 Mesa, AZ 85211-3070
Counsel for V & P Nurseries
11
12 Marta T. Hetzer
Arizona Reporting Service, Inc.
13 2200 North Central Avenue
Phoenix, Arizona 85004-1481
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15
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17
18
19 Sara Williams
20
21
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26

1 **BEFORE THE ARIZONA POWER PLANT**
2 **AND TRANSMISSION LINE SITING COMMITTEE**

3
4 IN THE MATTER OF THE APPLICATION OF
5 SALT RIVER PROJECT AGRICULTURAL
6 IMPROVEMENT AND POWER DISTRICT, IN
7 CONFORMANCE WITH THE REQUIREMENTS
8 OF ARIZONA REVISED STATUTES, SECTIONS
9 40-360, et seq., FOR A CERTIFICATE OF
10 ENVIRONMENTAL COMPATIBILITY
11 AUTHORIZING CONSTRUCTION OF A 230 kV
12 DOUBLE-CIRCUIT TRANSMISSION LINE
13 ORIGINATING AT THE PLANNED AND
14 PERMITTED ABEL SUBSTATION, NEAR JUDD
15 AND ATTAWAY ROADS IN PINAL COUNTY,
16 TO THE PLANNED AND PERMITTED RS-17
17 SUBSTATION, ADJACENT TO THE EXISTING
18 MOODY SUBSTATION, LOCATED NEAR
19 PECOS AND RECKER ROADS, IN THE TOWN
20 OF GILBERT, MARICOPA COUNTY,
21 ARIZONA, AND INCLUDING A NEW 230/69 kV
22 SUBSTATION NEAR THE INTERSECTION OF
23 COMBS AND MERIDIAN ROADS, IN OR
24 ADJACENT TO THE TOWN OF QUEEN
25 CREEK, ARIZONA.

Docket No. L-00000B-09-0311-00148

Case No. 148

16 **NOTICE OF HEARING**

17 A PUBLIC HEARING WILL BE HELD before the Arizona Power Plant and Transmission Line
18 Siting Committee ("Committee") regarding the application of Salt River Project Agricultural
19 Improvement and Power District ("SRP" or "Applicant") for a Certificate of Environmental
20 Compatibility authorizing the Abel-Moody 230 kV Transmission Project (the "Project").

21 The Project consists of approximately 20 miles of new 230 kV double-circuit transmission line
22 and a 230/69 kV substation (referred to as RS-24) which will be located on approximately 25
23 acres near the intersection of Combs Road and Meridian Road. The Project will be located in the
24 Queen Creek area. A general location map of the Applicant's preferred and alternative routes,
25 described herein, is attached.

26 The hearing will be held at the ASU Polytechnic Campus, Cooley Ballroom in the Student Union
27 Building, 7001 E. Williams Field Road, Mesa, Arizona 85212, (480) 727-1098. A map and
28 directions to the Campus may be printed at <http://www.poly.asu.edu/union/documents/uniond.pdf>.
29 The hearing is scheduled to begin Wednesday, August 5, 2009 at 9:30 a.m., and to continue as
30 necessary on Thursday, August 6, 2009 and Friday, August 7, 2009, at 9:30 a.m. The hearing will
31 adjourn at approximately 5:00 p.m. on all days. Additional hearing days, if necessary, will be
32 noticed on the Applicant and Arizona Corporation Commission ("ACC") websites.

33 The Applicant's website with Project information is: <http://www.azpower.org/abelmoody/>

The ACC Website is: http://www.azcc.gov/AZ_Power_Plant/LineSiting-Calendar.asp

PUBLIC COMMENT WILL BE TAKEN AFTER OPENING STATEMENTS AND AS PERMITTED BY THE COMMITTEE CHAIRMAN. IN ADDITION, A SEPARATE EVENING PUBLIC COMMENT SESSION WILL BE HELD AUGUST 5, 2009 AT 6:00 P.M., ALSO AT THE ASU POLYTECHNIC CAMPUS, COOLEY BALLROOM IN THE STUDENT UNION BUILDING, 7001 E. WILLIAMS FIELD ROAD, MESA, ARIZONA 85212.

The proposed transmission line alignments in the northwestern section of the Project area begin at the Moody and RS-17 substations at or near the intersection of Recker Road and the Union Pacific Railroad on the north and ends near the intersection of Meridian Road and the Union Pacific Railroad on the south, near the southeast corner of the Town of Queen Creek. The southern section continues from the Meridian Road intersection south to the Abel Substation site. There are four proposed alignments in the northern section, some of which contain minor variations. There are three proposed alignments in the southern section.

Northern Section:

(1) Ryan Alignment (Preferred) – The Applicant's preferred alignment begins near the Moody 69kV Substation site along the RWCD canal with an interconnection into the existing Santan-Schrader 230kV line along the canal (Nodes 1-2). The alignment then follows the Union Pacific Railroad ("UPRR") right-of-way parallel to an existing 69kV line southeast to Ryan Road (Nodes 2-43-11). The alignment then parallels Ryan Road to the east until it intersects Signal Butte Road (Nodes 11-12-13), turns south to the UPRR (Nodes 13-24) and parallels the UPRR to the southeast (Nodes 24-27). The Ryan alignment contains one sub-alternative that utilizes Meridian Road, rather than Signal Butte Road. This sub-alternative continues one-mile east on the Ryan alignment, then turns south along Meridian Road to the UPRR (Nodes 13-14-27). The Meridian sub-alternative is not part of the Applicant's preferred alignment.

(2) Germann Alignment (Alternative) – This alternative alignment begins near the Moody 69kV Substation site along the RWCD canal with an interconnection into the existing Santan-Schrader 230kV Transmission Line along the canal (Nodes 1-2). The alignment then follows the UPRR right-of-way southeast to Germann Road (Nodes 2-43). The alignment then parallels Germann Road to the east until it intersects Signal Butte Road (Nodes 43-7-8), turns south to the UPRR and parallels the UPRR to Node 27 (Nodes 8-13-24-27). The Germann alignment contains a sub-alternative that parallels Meridian Road rather than Signal Butte Road. This sub-alternative continues one-mile east on the Germann alignment, then turns south along Meridian Road to the UPRR (Nodes 8-9-14-27).

(3) North-Railroad Alignment (Alternative) – This alternative alignment begins near the Moody 69kV Substation site along the RWCD canal with an interconnection into the existing Santan-Schrader 230kV Transmission Line along the canal (Nodes 1-2) and builds new structures parallel to, then follows the UPRR right-of-way from the RWCD canal to Combs Road (Nodes 2-43-11-24-27).

(4) Ocotillo Alignment (Alternative) – This alternative alignment begins with an interconnection into the existing Santan-Schrader 230kV line along the RWCD canal at Queen Creek Road (Node 16). The alignment continues south, adjacent to the RWCD canal to Ocotillo Road (Nodes 16-87). At Ocotillo Road, the alignment turns east to Sonoqui Wash and follows the wash southeast to the intersection with Riggs Road (Nodes 87-88-81-79). The alignment then continues east to the UPRR and Combs Road intersection (Nodes 79-27). Two sub-alternatives exist within this

1 alternative. One extends east from the existing SRP Santan-Schrader 230kV Transmission Line
2 along the RWCD canal using existing structures and conductor to Queen Creek Road (Node 16)
3 and builds new structures east along Queen Creek Road, south along Higley Road to Ocotillo
4 Road (Nodes 16-17-88). Another sub-alternative extends from Ocotillo south along Power Road
5 to Riggs Road and then east (Nodes 81-51-79). This sub-alternative bypasses the Sonoqui Wash.

6 Southern Section:

7 (1) South-Railroad Alignment (Preferred) – The Applicant's preferred alignment parallels the
8 UPRR right-of-way from Meridian Road southeast to the intersection of the Magma Railroad
9 right-of-way (Nodes 27-62-98). It then continues northeast along the Magma Railroad right-of-
10 way to the Abel Substation site (Nodes 98-36).

11 (2) Combs Alignment (Alternative) – This alternative alignment begins at the UPRR at Meridian
12 Road and continues east along Combs Road to Schnepf Road (Nodes 27-61). The alignment then
13 follows Schnepf Road south to Skyline Road (Nodes 61-63). From Skyline Road, it continues
14 east to Quail Run Lane before extending south to Judd Road (Nodes 63-66-35). At Judd Road,
15 the route turns east to the Abel Substation site (Nodes 35-36).

16 (3) Skyline Alignment (Alternative) – This alternative alignment parallels the UPRR from
17 Meridian Road southeast to Skyline Road and then departs from the UPRR at the intersection of
18 Skyline Road (Nodes 27-62). The alignment continues east to Quail Run Lane before continuing
19 south to Judd Road (Nodes 62-63-66-35). At Judd Road the route turns east to the Abel
20 Substation site (Nodes 35-36).

21 More complete maps, along with more detailed textual descriptions of the proposed routes are
22 available in the Application and on the Applicant's website.

23 The Application that includes detailed maps of the proposed Project is on file with the Docket
24 Control Center of the ACC, 1200 West Washington Street, Suite 108, Phoenix Arizona, 85007.
25 Copies of the Application and Transcripts will also be available for inspection at the following
26 locations:

27 Southeast Regional Library (Maricopa County): 775 N. Greenfield Rd., Gilbert, AZ 85234

Queen Creek Branch Library: 21802 S. Ellsworth Rd., Queen Creek, AZ 85242

Florence Library: 1000 S. Main St., Florence, AZ 85232

The Committee may conduct a tour of the Project area and the proposed routes – most likely to
occur on August 6, 2009 starting at 8:30 a.m. If a tour is conducted, a map and itinerary for the
tour will be available at the hearings. Members of the public may follow the Committee in their
own private vehicles. During the tour, the Committee may hear brief testimony at stops on the
tour from one or more witnesses concerning where the stops are located, what is visible at the
stops and the relevance of the location and view to the proposed routes of the transmission line in
the Application. No other discussion or deliberation concerning the Application will occur. A
court reporter will transcribe any testimony taken on the tour.

Depending on the issues raised and the number of intervenors appearing during the hearing, the
Committee may deem it appropriate at some point to recess the hearing to a time and place to be
announced during the hearing, or to be determined after the recess, at which time and place the
hearing will be resumed. These dates and places will be posted on the Project and ACC websites.

1 At the discretion of the Committee, such resumed hearings may be held at a date, time and place
2 designated by the Committee or its Chairman.

3 **NOTE: NOTICE OF SUCH RESUMED HEARING WILL BE GIVEN. PUBLISHED**
4 **NOTICE OF SUCH RESUMED HEARING IS NOT REQUIRED.**

5 Each county and municipal government and state agency interested in the proposed Project and
6 desiring to become a party in the proceeding must file with the Arizona Corporation Commission,
1200 West Washington Street, Phoenix, Arizona 85007, a notice of its intent to be a party. That
notice must be filed not less than ten (10) days before the date set for hearing.

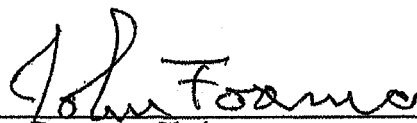
7 Any domestic, non-profit corporation or association, formed in whole or in part to promote
8 conservation or natural beauty, to protect the environment, personal health or other biological
values, to preserve historical sites, to promote customer interests, to represent commercial and
9 industrial groups, or to promote the orderly development of the area in which the Project is to be
located and desiring to become a party to the certification proceedings must file with the ACC,
10 1200 West Washington Street, Phoenix, Arizona 85007, notice of its intent to be a party. That
notice must be filed not less than ten (10) days before the date set for hearing.

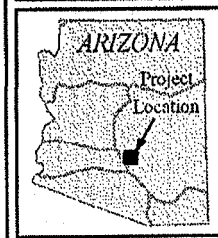
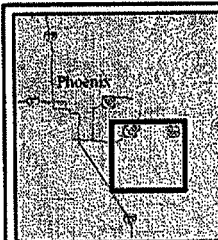
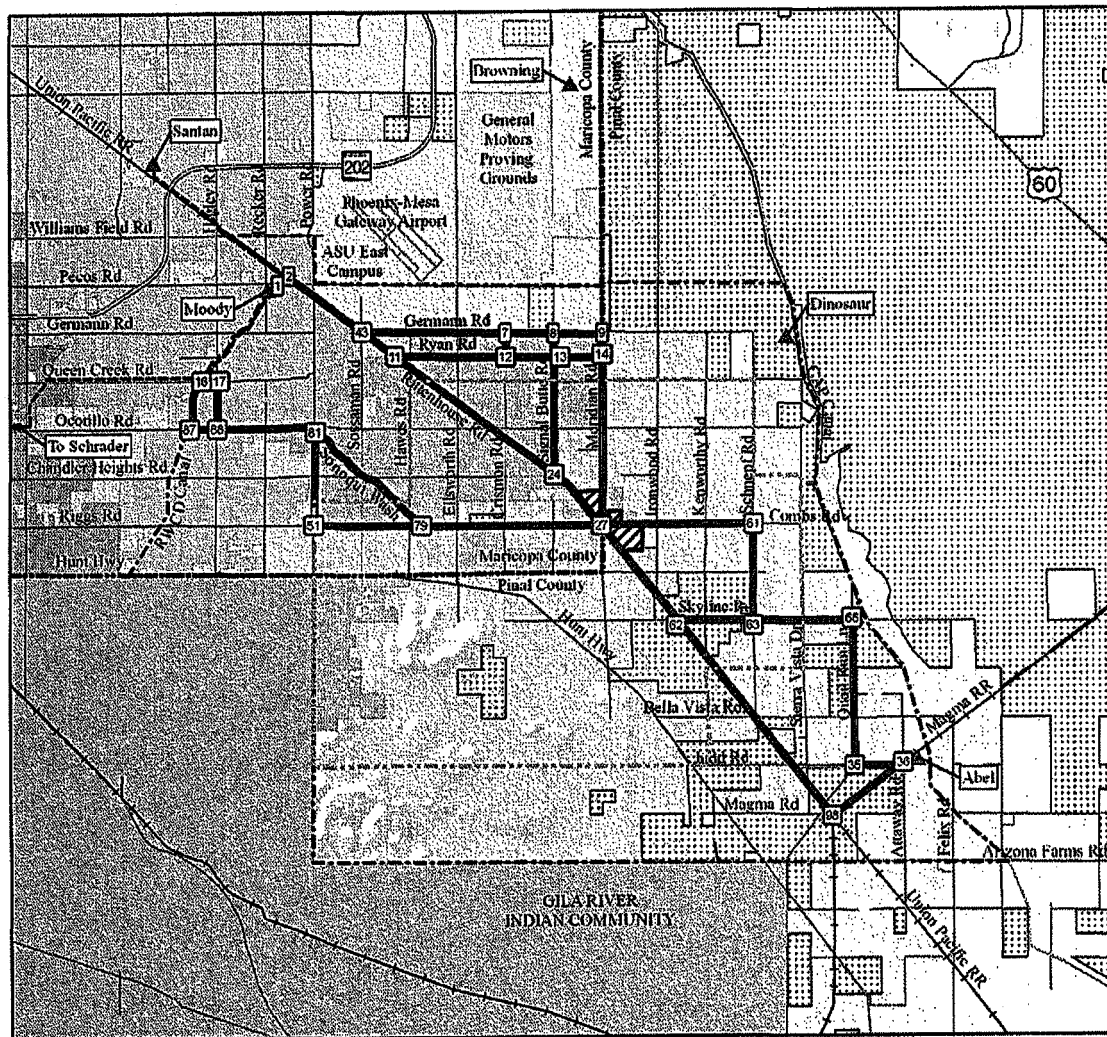
11 The Committee or its Chairman, at any time deemed appropriate, may make other persons parties
12 to the proceeding.

13 Any person may make a limited appearance at a hearing by filing a statement in writing with the
ACC, 1200 West Washington Street, Phoenix, Arizona 85007, not less than five (5) days before a
14 date set for hearing. A person making a limited appearance shall not be a party or have the right
to present testimony or cross-examine witnesses.

15 This proceeding is governed by Arizona Revised Statutes (A.R.S.) §§ 40-360 to 40-360.13 and
16 Arizona Administrative Code R14-3-201 to R14-3-219. No substantive communication, not in
the public record, may be made to any member of the Committee. The written decision of the
17 Committee will be submitted to the ACC pursuant to A.R.S. § 40-360.07. Any person intending
to be a party before the ACC must be a party to the certification proceedings before the
18 Committee.

19 ORDERED this 16th day of June, 2009.

20 
21 John Foreman, Chairman
22 Arizona Power Plant and
23 Transmission Line Siting Committee
24 Assistant Attorney General
25
26
27



Legend

- Project Study Area
- RS-24 Service Area
- Alternative Alignments
- Preferred Alignment
- Substations
- Nodes
- RS-24 Potential Substation Sites
- Santan-Schrader 230kV Transmission Line
- Town of Gilbert
- City of Mesa
- Town of Queen Creek
- Town of Florence
- City of Chandler
- Unincorporated County
- Gila River Indian Community
- State Trust Land

Project Area Abel-Moody 230kV Transmission Project



0 2 4 Miles



From: "AZRS" <azrs@az-reporting.com>
To: "Tara Williams" <Tara.Williams@azag.gov>
Date: 6/23/2009 6:43 PM
Subject: RE: #148 Agenda

Thank you.

Marta Hetzer @ AZRS
602-274-9944

-----Original Message-----

From: Tara Williams [mailto:Tara.Williams@azag.gov]
Sent: Tuesday, June 23, 2009 2:24 PM
To: Lawrence Robertson; Craig Marks; Janice Alward; Kyle Mieras; Gregory Miles; Rebecca Porter; Francis Slavin; Christopher Schmaltz; Kenneth Sundlof; Gary Birnbaum; Jim Braselton; Scott Wakefield, Esq.
Cc: AZRS; Michele Maser; Jana Brandt; Kelly Barr
Subject: #148 Agenda

All,

Attached is the Agenda for this case, which was filed today with the Corporation Commission.

Thank you,
Tara Williams
Assistant
Consumer Protection & Advocacy Section
Office of the Attorney General
Tel: (602) 542-7759
Fax: (602) 542-4377
tara.williams@azag.gov

CONFIDENTIALITY NOTICE: This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.

1
2
3 **BEFORE THE ARIZONA POWER PLANT**
4 **AND TRANSMISSION LINE SITING COMMITTEE**

5 IN THE MATTER OF THE APPLICATION OF
6 SALT RIVER PROJECT AGRICULTURAL
7 IMPROVEMENT AND POWER DISTRICT, IN
8 CONFORMANCE WITH THE REQUIREMENTS IF
9 ARIZONA REVISED STATUTES, SECTIONS 40-
10 360 *et seq.*, FOR A CERTIFICATE OF
11 ENVIRONMENTAL COMPATIBILITY
12 AUTHORIZING CONSTRUCTION OF A 230 kV
13 DOUBLE-CIRCUIT TRANSMISSION LINE
14 ORIGINATING AT THE PLANNED AND
15 PERMITTED ABEL SUBSTATION, NEAR JUDD
16 AND ATTAWAY ROADS IN OINAL COUNTY, TO
17 THE PLANNED AND PERMITTED RS-17
18 SUBSTATION, ADJACENT TO THE EXISTING
19 MOODY SUBSTATION, LOCATED NEAR PECOS
20 AND RECKER ROADS, IN THE TOWN OF
21 GILBERT, MARICOPA COUNTY, ARIZONA,
22 INCLUDING A NEW 230/69 kV SUBSTATION
23 NEAR THE INTERSECTION OF COMBS AND
24 MERIDIAN ROADS, IN OR ADJACENT TO THE
25 TOWN OF QUEEN CREEK, ARIZONA

Docket No. L-00000B-09-0311-00148

Case No. 148

AGENDA

14 Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the general
15 public, the parties and the Arizona Power Plant and Transmission Line Siting Committee
16 ("Committee") that the Committee will hold a meeting/hearing on the above numbered application
17 that is open to the public on Wednesday, August 5, 2009, at 9:30 a.m. in the Cooley Ballroom of
18 the Student Union Building at the ASU Polytechnic Campus, 7001 East Williams Field Road,
19 Mesa, Arizona 85212; telephone: (480) 727-1098. The hearing will continue on Thursday, August
20 6, 2009, at 8:00 a.m., if a tour is taken, otherwise it will begin at 9:30 a.m. If the hearing has not
21 concluded, it will continue on Friday, August 7, 2009, at 9:30 a.m. The hearing will adjourn at
22 approximately 5:00 p.m. each day. Public comment will be taken during the hearing at times
23 designated by the Chairman. Public comment also will be taken in a special evening session on
24 August 5, 2009, at 6:00 p.m. at the same location. Additional days for the hearing may be set, or
25 the hearing may conclude earlier than anticipated, depending upon the number of parties that
26 intervene, the amount of testimony presented, the amount of public comment, and the time
27 needed for deliberations by the Committee. As a part of the public meeting/hearing, members of
the Committee will discuss the potential value of a tour, and, at the discretion of the Chairman of
the Committee, may tour the proposed transmission line route for the project on August 6, 2009,
beginning at 8:00 a.m. At the meeting/hearing, the Committee may consider, discuss, deliberate
and/or vote on the matters on the Agenda. Items on the Agenda may be taken in a different order
than listed as conditions require.

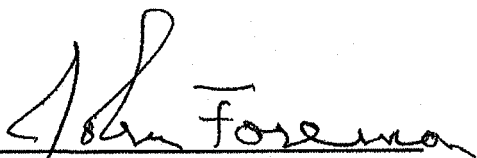
1. Call to Order;

2. Roll Call;

- 1 3. Consideration of and vote upon any requests to intervene;
- 2 4. Hearing on the application;
- 3 5. Public Comment;
- 4 6. Discussion of potential value of a tour of the proposed route;
- 5 7. If it is decided a tour would be valuable, the Committee will travel along the route,
- 6 following an itinerary which will be available at the hearing. A detailed description of
- 7 the tour route and itinerary, including a map, will be on file at the Arizona
- 8 Corporation Commission. Members of the public may follow the Committee's tour
- 9 by use of their own private vehicles. No testimony or discussion with or between
- 10 Committee Members about the Application or matters relating to the Application will
- 11 take place, except on the record before a court reporter at the designated stops.
- 12 The Chairman of the Committee will make any procedural decisions concerning
- 13 stops at different points of interest;
- 14 8. Discussion of proposed Findings of Fact, Conclusions of Law, the Certificate of
- 15 Environmental Compatibility and conditions to the Certificate of Environmental
- 16 Compatibility; and,
- 17 9. Vote and decision concerning Findings of Fact, Conclusions of Law, the Certificate
- 18 of Environmental Compatibility and conditions to the Certificate of Environmental
- 19 Compatibility;
- 20 10. Adjournment.

21 Persons with a disability may request a reasonable accommodation, such as a sign
22 language interpreter, by contacting Shaylin Bernal, voice phone number: (602) 542-3931, e-mail:
23 sabernal@azcc.gov. Requests should be made as early as possible to arrange the
24 accommodation. All materials relating to the hearing may be found at the Docket Control of the
25 Arizona Corporation Commission, 1200 West Washington, Phoenix, AZ 85007, first floor.

26 DATED this 23rd day of June, 2009.

27

John Foreman, Chairman
Arizona Power Plant and Transmission
Line Siting Committee
Assistant Attorney General
john.foreman@azag.gov

1 Pursuant to A.A.C. R14-3-204,
2 The Original and 25 copies were
3 filed this 23rd day of June, 2009 with:
4
5 Docket Control
6 Arizona Corporation Commission
7 1200 W. Washington St.
8 Phoenix, AZ 85007
9
10 Copy of the above was mailed
11 this 23rd day of June, 2009 to:
12
13 Janice Alward, Chief Counsel
14 Arizona Corporation Commission
15 1200 West Washington Street
16 Phoenix, AZ 85007
17 Counsel for Legal Division Staff
18
19 Kenneth C. Sundlof, Jr.
20 Jennings, Strouss & Salmon, PLC
21 The Collier Center, 11th Floor
22 201 East Washington Street
23 Phoenix, AZ 85004-2385
24 Counsel for Applicant, SRP
25
26 Gary Birnbaum
27 Jim Braselton
Mariscal, Weeks, McIntyre & Friedlander, PA
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Counsel for the Town of Queen Creek

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10645 North Tatum Blvd, Suite 200-676
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Counsel for the Town of Gilbert

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Counsel for Pinal County

1 Christopher Schmaltz
2 Gust Rosenfeld, PLC
3 201 East Washington Street, Suite 800
4 Phoenix, AZ 85004
5 Counsel for Phoenix-Mesa Gateway Airport

6 Francis Slavin
7 Francis J. Slavin, PC
8 2198 East Camelback Road, Suite 285
9 Phoenix, AZ 85016
10 Counsel for Jason Barney

11 Scott Wakefield
12 Ridenour, Hienton, Kelhoffer & Lewis, PLLC
13 201 North Central Avenue, Suite 3300
14 Phoenix, AZ 85004-1052
15 Counsel for Sandy Beeler

16 Rebecca Porter
17 Gregory Miles
18 Davis Miles, PLLC
19 P.O. Box 15070
20 Mesa, AZ 85211-3070
21 Counsel for V & P Nurseries

22 Marta T. Hetzer
23 Arizona Reporting Service, Inc.
24 2200 North Central Avenue
25 Phoenix, Arizona 85004-1481

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Sara Williams

From: "Mary Walker" <mwalker@cgsuslaw.com>
To: <b.slavin@fjslegal.com>, "craig.marks@azbar.org" <craig.marks@azar.org>, ...
Date: 6/24/2009 4:25 PM
Subject: Abel-Moody Transmission Project - Notice of Intent
Attachments: 09 06 24 Gilberts Notice of Intent.pdf

CC: "William Sullivan" <wsullivan@cgsuslaw.com>
All,

Attached is a copy of the Notice of Intent to be a Party that was filed on behalf of the Town of Gilbert today. Copies are being mailed to you as well.

Mary Walker
Assistant to William P. Sullivan and Larry K. Udall
Curtis, Goodwin, Sullivan, Udall & Schwab, P.L.C.
501 East Thomas Road
Phoenix, Arizona 85012
(602) 393-1700

CONFIDENTIALITY / PRIVILEGE NOTICE: This transmission and any attachments are intended solely for the addressee. This transmission is covered by the Electronic Communications Privacy Act, 18 U.S.C. § 2510-2521. The information contained in this transmission is confidential in nature and protected from further use or disclosure under U.S. Pub. L. 106-102, 113 U.S. Stat. 1338 (1999), and may be subject to attorney-client or other legal privilege. Your use or disclosure of this information for any purpose other than that intended by its transmittal is strictly prohibited, and may subject you to fines and/or penalties under federal and state law. Anyone who receives this e-mail in error or in response to a general request for the client's public records or for the client's electronic communications shall not read the contents and shall return it immediately to Curtis, Goodwin, Sullivan, Udall & Schwab, P.L.C. 501 East Thomas Road, Phoenix, Arizona 85012-3205, phone (602) 393-1700 and facsimile (602) 393-1703.

THANK YOU FOR YOUR COOPERATION

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**BEFORE THE ARIZONA POWER PLANT AND
TRANSMISSION LINE SITING COMMITTEE**

IN THE MATTER OF THE APPLICATION OF
SALT RIVER PROJECT AGRICULTURAL
IMPROVEMENT AND POWER DISTRICT, IN
CONFORMANCE WITH THE
REQUIREMENTS OF ARIZONA REVISED
STATUTES, SECTIONS 40-360 et seq., FOR A
CERTIFICATE OF ENVIRONMENTAL
COMPATIBILITY AUTHORIZING
CONSTRUCTION OF A 230 kV DOUBLE-
CIRCUIT TRANSMISSION LINE
ORIGINATING AT THE PLANNED AND
PERMITTED ABEL SUBSTATION, NEAR
JUDD AND ATTAWAY ROADS IN PINAL
COUNTY, TO THE PLANNED AND
PERMITTED RS-17 SUBSTATION,
ADJACENT TO THE EXISTING MOODY
SUBSTATION, LOCATED NEAR PECOS
AND RECKER ROADS, IN THE TOWN OF
GILBERT, MARICOPA COUNTY, ARIZONA,
INCLUDING A NEW 230/69 kV SUBSTATION
NEAR THE INTERSECTION OF COMBS AND
MERIDIAN ROADS, IN OR ADJACENT TO
THE TOWN OF QUEEN CREEK, ARIZONA.

DOCKET NO. L-00000B-09-0311-00148

Case No. 148

NOTICE OF INTENT TO BE A PARTY

Pursuant to A.R.S. § 40-360.05(A)(2), the Town of Gilbert ("Gilbert") hereby files its

Notice of Intent To Be A Party in the above-captioned and above-docketed proceeding.

DATED this 24th day of June, 2009.

CURTIS, GOODWIN, SULLIVAN,
UDALL & SCHWAB, P.L.C.

By: 

Michael A. Curtis
William P. Sullivan
Larry K. Udall

501 East Thomas Road
Phoenix, Arizona 85012-3205
Attorneys for the Town of Gilbert

1 Pursuant to AAC R14-3-204, the original
2 and twenty-five (25) copies of the foregoing
3 Notice were filed this 24th day of June, 2009 with:

4 Docket Control
5 Arizona Corporation Commission
6 1200 West Washington
7 Phoenix, Arizona 85007

8 COPY of the foregoing hand delivered/
9 mailed this 24th day of June, 2009 to:

10 Janice Alward, Chief Counsel
11 Legal Division
12 Arizona Corporation Commission
13 1200 West Washington Street
14 Phoenix, AZ 85007

15 Lyn Farmer, ALJ
16 Hearing Division
17 Arizona Corporation Commission
18 1200 West Washington Street
19 Phoenix, AZ 85007

20 Ernest Johnson, Director
21 Utilities Division
22 Arizona Corporation Commission
23 1200 West Washington Street
24 Phoenix, AZ 85007

25 Kenneth C. Sundlof, Jr.
Jennings, Strouss & Salmon, PLC
The Collier Center, 11th Floor
201 East Washington Street
Phoenix, AZ 85004-2385

Gary Birnbaum
21 Jim Braselton
22 Mariscal, Weeks, McIntyre & Friedlander, PA
23 2901 North Central Avenue, Suite 200
24 Phoenix, AZ 85012

25 Craig Marks
Craig A. Marks, PLC
10645 North Tatum Blvd, Suite 200-676
Phoenix, AZ 85028

1 Kyle Mieras
2 90 East Civic Center Drive
3 Gilbert, AZ 85296

4 Lawrence V. Robertson, Jr.
5 P.O. Box 1448
6 2247 East Frontage Road
7 Tubac, AZ 85646

8 Christopher Schmaltz
9 Gust Rosenfeld, PLC
10 201 East Washington Street, Suite 800
11 Phoenix, AZ 85004

12 Francis Slavin
13 Francis J. Slavin, PC
14 2198 East Camelback Road, Suite 285
15 Phoenix, AZ 85016

16 Scott Wakefield
17 Ridenour, Hienton, Kelhoffer & Lewis, PLLC
18 201 North Central Avenue, Suite 3300
19 Phoenix, AZ 85004-1 052

20 Rebecca Porter
21 Gregory Miles
22 Davis Miles, PLLC
23 P.O. Box 15070
24 Mesa, AZ 8521 1-3070
25


FA578-09-27 (SRP Able-Moody Transmission Line)Pleadings\Notice of Intent.doc